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1 LAWRENCE LIVERMORE NATIONAL LABORATORY  
 2 SITE-WIDE ENVIRONMENTAL IMPACT STATEMENT  
 3 US DEPARTMENT OF ENERGY  
 4 NATIONAL NUCLEAR SECURITY ADMINISTRATION

5 ---oOo---

6  
 7 APRIL 28, 2004  
 8 AFTERNOON PROCEEDINGS

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 13 LOCATION: HOLIDAY INN EXPRESS  
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 19 Reported by: DENNIS M. SOUZA, CSR #3893

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1 Tracy, California April 28, 2004

2  
 3 PROCEEDINGS

4 MR. BROWN: It is now time to receive your  
 5 comments for inclusion in the formal record. Again, it  
 6 is time to receive your comments for inclusion to the  
 7 formal record. This session will be transcribed by our  
 8 Court Reporter who is located near the podium over there.  
 9 I will call on -- is this Mic coming through or not? All  
 10 right. I will call on speakers in the order in which  
 11 they signed up. Please come to the podium over there and  
 12 introduce yourself providing an organizational  
 13 affiliation where appropriate. If you haven't signed up  
 14 yet to speak and would like to, you can see the folks  
 15 outside and sign up and they will be glad to bring their  
 16 name up to me. If you have a written copy of your  
 17 statement, when you have finished, if you would give that  
 18 to Tom, he can, in turn, pass that on to the court  
 19 reporter who can double check that against his transcript  
 20 just for accuracy, particularly in terms of acronyms and  
 21 so forth.

22 Also, if you have some additional materials that  
 23 are not part of your statement but are charts or  
 24 appendices that you would like to have made part of the  
 25 record, you can again give those to Tom. We will label

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1 those and make them part of the record. To ensure  
2 everybody has an opportunity to make their comments on  
3 the draft site-wide environmental impact statement I am  
4 going to ask every person confine their comments to  
5 five minutes. I will give you a notice at the four  
6 minute mark so you can gracefully conclude your  
7 comments. You may submit any additional comments in  
8 writing, by fax, by e-mail and so forth. All comments  
9 that are received by DOE have equal weight. So if you  
10 have a longer statement that you can't get finished in  
11 five minutes, the remaining part of the statement will  
12 receive equal consideration with what you are able to  
13 say.

14 I will also call the name of the next speaker  
15 along with the person who is currently coming up just  
16 to alert you and that can save some time.

17 Tom Grim will be serving as the hearing  
18 officer for this hearing and with that we will start  
19 the public comment period. Dr. Virginia Bliss is our  
20 first speaker. She got here well ahead of everybody  
21 else, so this is your reward, you get to go first.

22 DR. BLISS: What a reward. Okay. Thank you  
23 very much, panel, thank you for the excellent work  
24 you've done preparing the materials and I will say that  
25 I am very impressed with the site-wide EIS and until

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1 this meeting started I couldn't figure out what SW  
2 meant. Now I have that straightened out. So I am  
3 impressed that a lot of good work has been done to  
4 protect us from radiologic hazards.

5 The organization I represent is parents,  
6 Americans, Californians, humans and by way of being at  
7 California I was educated all over the place in  
8 California, at UC Davis, UCLA, Stanford and so I know  
9 some things about chemistry, some things about  
10 biochemistry, some things about radiologic biology;  
11 but, I am not coming here as an expert on any of those  
12 things. I am kind of coming here as a pediatrician.

13 In the medical field and I think in the  
14 teaching field and I think we are discovering in the  
15 reconstruction field it is a lot of work, a lot of work  
16 to try to help and improve the health of someone who  
17 has been injured with trauma, for example, or a tumor,  
18 for example, and for that reason, pediatrics is really  
19 interested in prevention and education.

20 Now, I am interested also in the statement of  
21 purpose of -- well, this is a division of the US  
22 Department of Energy National Nuclear Security  
23 Administration and this says that the continued  
24 operation of LLNL is critical to the NNSA's Stockpile  
25 Stewardship Program and to preventing the spread and

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1 use of nuclear weapons.  
 2 Lets see, Mr. Grim, I saw really very good  
 3 work discussing cultural, biologic, waste management,  
 4 water, noise -- a lot of potential effects to this  
 5 community of the type of development that is projected  
 6 in the coming ten years but I did not see any  
 7 environmental impact statements on the use of these  
 8 weapons. As a doctor that is really important to me  
 9 because as I mentioned taking care of an injured person  
 10 is a lot of work and most people in my field are very  
 11 interested in prevention.  
 12 When I was growing up there was some  
 13 discussion about nuclear weapons being a deterrent and  
 14 those of us my age, I use hair dye, but I am in my 50s  
 15 probably remember duck and cover. Duck and cover. I  
 16 was terrified as a child. I was terrified for maybe  
 17 three decades of my life. I was very frightened to  
 18 become a mom. So it wasn't a deterrent to my fear, I  
 19 will tell you that.  
 20 So when we are looking at the three  
 21 categories, the different alternatives for operating  
 22 LLNL, I would like to tell you that I am a member of  
 23 this third category called reduced operation  
 24 alternative and in this category I support reduction of  
 25 stockpile stewardship program because I am trying to --

1/02.01  
cont.

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1 I am imagining from what I am hearing today -- it kind  
 2 of suggests that the stockpile stewardship program  
 3 sounds to me like it has to do with weapons  
 4 development. We heard that Lawrence Livermore is a  
 5 research facility. We heard that more materials are  
 6 expected to be coming through. And so this sounds like  
 7 it may have something to do with development of nuclear  
 8 weapons.  
 9 MR. BROWN: You have a minute left.  
 10 DR. BLISS: Thank you. Okay. So as a  
 11 pediatrician and as a Californian, as sort of a  
 12 scientifically educated Californian, I am an advocate  
 13 for the nonuse of nuclear weapons rather than an  
 14 advocate for the development of new varieties of  
 15 nuclear weapons and I thank the Department of Energy  
 16 and the representatives of Lawrence Livermore for this  
 17 opportunity to learn and to speak with you and to let  
 18 my comments be recorded. Thank you.  
 19 MR. BROWN: The next speaker is Richard  
 20 Marracq and Caroline Courtright will follow.  
 21 MR. MARRACQ: Good afternoon. I just wanted  
 22 to say Tom, you are quite a handsome man, there is a  
 23 little Antonio Banderas thing going on there. Does  
 24 anyone see that? Very nice.  
 25 My little comic relief there. My name is

1/02.01  
cont.

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1 Richard Marracq. I am a chaplain at Palo Alto  
 2 Community Church so my area is, of course, not anything  
 3 to do with nuclear physics or any of those sciences.  
 4 My area is ethics and moral responsibility. As a very  
 5 concerned citizen, I am extremely concerned by the  
 6 proposed increased operations at Livermore. The  
 7 increases in plutonium and tritium limits alone are  
 8 extremely alarming. By the grace of God we survived 40  
 9 years of the Cold War and the madness of mutually  
 10 assured destruction. The arms race of the latter part  
 11 of the 20th century was one of the great scourges in  
 12 human kinds history. And we the people will not  
 13 tolerate a new arms race now in the 21st century. It  
 14 is time to end this madness.

2/04.01

15 Renewed testing of weapons and the new  
 16 generation of so-called mini-nukes or bunker busters,  
 17 most of the development and research no doubt will go  
 18 on at Lawrence Livermore and is probably contained in  
 19 the thousands of pages of the document. I believe that  
 20 these new generation of mini-nukes pose the greatest  
 21 threat to peace and security in our world today. These  
 22 weapons will generate a whole new arms race as the  
 23 lesson of the Iraq war demonstrates that like North  
 24 Korea you better damned well have nuclear weapons to  
 25 deter a US invasion of your country. And these

3/02.01

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1 mini-nukes will only increase the likelihood of their  
 2 use in battle field situations by our forces. I find  
 3 in concept obscene and unacceptable under any  
 4 circumstances. Furthermore, their compact and portable  
 5 nature may even realize our greatest fear that these  
 6 weapons will find their way onto the black market and  
 7 into the hands of terrorists. Nuclear weapons and  
 8 nuclear power are part of the past, not our future. If  
 9 the proposal for increased operations is approved at  
 10 Livermore, the people will not sit by. We will not  
 11 allow this to stand. People from all over the Bay  
 12 Area, indeed the Nation and the world, will come to  
 13 protest, demonstrate and engage in civil disobedience  
 14 to stop this. If we must lie down in the street in  
 15 front of Livermore, then so be it.

3/02.01  
cont.

16 This new generation of operation and weapons  
 17 at Lawrence represents the biggest threat to peace in  
 18 our world today. We the people will respond by  
 19 exercising our constitutional rights to demonstrate.  
 20 We will not let this stand. My position is just say  
 21 no, no action alternative. Thank you.

2/04.01  
cont.

22 MR. BROWN: Caroline Courtright to be followed  
 23 by Carol Kuzora.

24 MS. COURTRIGHT: My name is Caroline  
 25 Courtright and I kind thought as I was thinking about

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1 starting I was thinking about why is Livermore  
 2 important to me but that's like saying why is the  
 3 planet important to me. So instead I will answer it on  
 4 personal basis. I have a brother and sister-in-law who  
 5 live in Livermore. I have 15 other relatives that live  
 6 within 20 miles. My sister in-laws' parents both died  
 7 of lung cancer and they weren't smokers but as happy  
 8 owners of a walnut orchard they were the proud  
 9 recipients of receiving the sewer sludge that  
 10 Livermore Lab used to give out to locals to use as  
 11 fertilizer in the 60's and '70's.

12 So I have three kind of goals or suggested  
 13 requests as goals for today and one is that my first  
 14 preference would be to convert the Lab to civilian  
 15 science purposes and two, to clean up the mess that  
 16 exists rather than propose new polluting projects;  
 17 however, if a decision needs to be made on the  
 18 selection of one of the alternatives for the continued  
 19 operation of LLNL, clearly the only possible option is  
 20 the reduced operational alternative. The third goal is  
 21 to recirculate a new draft SWEIS. In my view, this EIS  
 22 is seriously flawed.

23 Today I will talk only about two problems with  
 24 this EIS and I, in starting, should suggest that I only  
 25 really had time to read the summary and a quick

4/07.01

5/06.01,  
31.04

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1 reference to the large volume. In section 5218 there  
 2 was a section called building a seismic upgrades and it  
 3 states: Quote there are 108 buildings identified at  
 4 LLNL as having potential seismic deficiencies relative  
 5 to current codes," end quote.

6 I couldn't find a timeline or mandate for  
 7 these repairs and I suggest that the Lab have no  
 8 increase in plutonium or tritium amounts or storage  
 9 until all seismic up grades are completed.

10 Another omission I didn't see anywhere in the  
 11 summary was that there is an earthquake fault zone less  
 12 than 200 feet from the property boundaries of the  
 13 Livermore Lab. I'd like this included in the EIS and  
 14 also in the summary. It is important information.

15 The next section I would like to discuss is  
 16 S610 and that was called site contamination and it  
 17 states, this is a doozy of a sentence: Areas of soil  
 18 and groundwater contamination exist at the Livermore  
 19 site and Site 300. These are primarily the result of  
 20 waste -- no, excuse me, of past waste management  
 21 practices, some of which took place during the 40's  
 22 when the Livermore site was a naval air station.

23 To my knowledge, it is quite well documented  
 24 that there is a radioactive groundwater plume emanating  
 25 out from the Laboratory traveling west towards

6/14.01

7/24.01

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1 Livermore and the plutonium contamination has been  
 2 found, I don't know if it is in the City limits, near  
 3 the city limits, underneath a park there, it is a city  
 4 park in Livermore. The Livermore Lab site itself is  
 5 included on the Superfund list as the Nation's most  
 6 environmentally damaged site due to contamination from  
 7 many of its operation.

7/24.01  
 cont.

8 How can that fact not be mentioned in the EIS  
 9 or even in the summary of the EIS?

10 MR. BROWN: One minute remaining.

11 MS. COURTRIGHT: To not include this  
 12 information makes it in my mind fatally flawed and at  
 13 the very least it is disingenuous and means we cannot  
 14 trust DOE to manage proper oversight of the problems it  
 15 creates. Do not expand the projects or the facilities  
 16 at LLNL but scale back to reduced operation or better  
 17 yet convert the Lab to civilian science research.

8/07.01

18 In closing I will say this: The United States  
 19 should be leading the world in stopping the  
 20 proliferation of nuclear weapons and negotiating open  
 21 multi-lateral agreements for eventual disarmament.  
 22 Instead by announcing our intention to continue to  
 23 develop new weapons and signaling a new policy that  
 24 targets non-nuclear states with nuclear weapons, we are  
 25 encouraging their spread and risking the beginning of a

9/01.01

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1 new arms race. Thank you.

9/01.01  
 cont.

2 MR. BROWN: Thank you. Carol Kuzora to be  
 3 followed by Mike Schmidt.

4 MS. KUZORA: Hi. I am Carol Kuzora. I came  
 5 down from Grass Valley, over two hours away. I just  
 6 happened to hear about this and found it rather  
 7 alarming. I am amazed at how much information this  
 8 (indicating) sweeps under the rug. It is just not  
 9 there. They do talk about the impact of building and  
 10 disturbing the soil like any building project anywhere  
 11 but this just isn't any building project anywhere.  
 12 Apparently you are plan to more than double the  
 13 plutonium limit, to manufacture bomb cores; heat  
 14 plutonium and shoot beams through it -- through the  
 15 vapor cloud to break it up into separate isotopes; to  
 16 use plutonium in the ignition facility experiments,  
 17 manufacture radioactive tritium targets and increase  
 18 your tritium at risk limit tenfold and undertake  
 19 activities to speed to return to full scale nuclear  
 20 testing and import live anthrax and plague and other  
 21 biological pathogens by collecting a co-locating a bio  
 22 warfare research facility here with nuclear weapons  
 23 even though it has been stopped before years ago.

10/04.01

24 None of that was actually mentioned in here,  
 25 so I thought I would bring it up. I am concerned about

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1 what the population of this country and indeed of the  
 2 world would think when they hear about this. They are  
 3 entitled to know.

10/04.01  
 cont.

4 What we are talking about here is those  
 5 weapons of mass destruction that we accuse other  
 6 countries of having or developing or planning --  
 7 nuclear and biological.

8 This document sweeps all that under the rug  
 9 and our country will lose credibility with the rest of  
 10 the world, if it hasn't already. There is not  
 11 negligible risk of cancer or other diseases. The  
 12 cancer rate's already up around here so it is not as  
 13 negligible as these numbers in here suggest so I  
 14 recommend the reduced operational alternative. Thank  
 15 you.

11/06.01

16 MR. BROWN: Mike Schmidt.

17 MR. SCHMIDT: My name is Mike Schmidt. I am  
 18 the chief executive officer for the Tracy Chamber of  
 19 Commerce. Our Chamber of Commerce represents 650 local  
 20 businesses employing about 15,000 employees in the  
 21 greater San Joaquin Valley area. The Chamber  
 22 recognizes the national security interests that the Lab  
 23 plays in today's world, as insecure as it may be, and  
 24 as ethical we might discuss weapons and non-weapons  
 25 production. The fact is we need to have agencies such

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1 as the Lab working for our security and working for our  
 2 country. We applaud you and thank you for that.

3 We also appreciate and recognize the business  
 4 partnership you have had with Tracy and Livermore for  
 5 the past 50 years. It has been a very healthy  
 6 relationship we believe for both. Your community  
 7 relationships with civic, charitable actions, schools,  
 8 the Chamber and the service clubs, you recently hit  
 9 Rotary Club and made this presentation to us, helps us  
 10 reassure ourselves in the fact that what you are trying  
 11 to do and the role you play in our community.

12 We also appreciate 8500 people in this area  
 13 have jobs because of the Lab. 2316 of them in the  
 14 Central Valley alone. These are jobs people call for  
 15 living wage, these are living wage jobs, jobs we need  
 16 in this area. Our focus is really on jobs, because  
 17 that is what the Chamber of Commerce is about. I am  
 18 not a scientist, I am not an ethicist trying to decide  
 19 if it is good, bad or indifferent. But I am concerned  
 20 and want to applaud the employment opportunities.

21 Also, the employment opportunities you provide  
 22 to local businesses and contractors to the tune of 660  
 23 million dollars and 160 million dollars of that just in  
 24 the Valley. That is awesome money that helps raise  
 25 families, provides schools, provide programs and ensure

12/04.01,  
 15.01

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1 charities have operations so forth.  
2 The Chamber also values the small business  
3 program office designed to focus on disadvantaged  
4 women, veterans, disabled owned businesses giving them  
5 the opportunity to move forward in their economic  
6 desire for prosperity. The supply and management  
7 program with 220 million dollars in annual procurements  
8 that again help support local businesses and  
9 employment. The individual -- excuse me, the industry  
10 partnership and commercialization office. This  
11 partnership with industry has helped transfer  
12 technology from the private sector to the private  
13 sector from that of the Lab and we appreciate that.

14 The small business innovation research and  
15 tech transfer program where 40 percent of the  
16 partnerships are with small business start-up  
17 companies. To me this is an awesome business  
18 opportunity for local businesses.

19 Let's look to the future. I tend to support  
20 the proposed action alternative. I think we need to be  
21 looking forward not trying to look back. Obviously we  
22 want responsibilities in how these materials are  
23 handled and I have to trust you folks know what you are  
24 doing because I wouldn't have a clue. 87 percent of  
25 the Chamber members in this area have ten or fewer

12/04.01,  
15.01  
cont.

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1 employees so the employment opportunity and the  
2 relationship with the Lab is critical. The EIS  
3 proposal in the form of the projects, you are looking  
4 supports and complements your core mission of science  
5 of technology, we believe that is critical. The  
6 upgrade and renovations of Site 300 in Tracy provides  
7 business opportunities, the demolition, seismic  
8 upgrading and new construction means opportunities for  
9 employment as well as for business in the region in the  
10 valley.

11 Tracy Chamber of Commerce applauds the Lab for  
12 the national security role they play, their leadership  
13 in the region and their economic contribution and  
14 opportunities they provide for men and women and  
15 business in the Central Valley. We, again, propose  
16 action alternative as something we see should move  
17 forward and we thank you very much Tom for you and your  
18 team for being in Tracy and giving us and all these  
19 folks also the opportunity to speak. Thank you.

20 MR. BROWN: Thank you. Marylia Kelley is next  
21 and Tara Dorabji will follow her.

22 MS. KELLEY: My name is Marylia Kelley. I am  
23 executive director of Tri Valley Cares in Livermore.  
24 We have 4200 members of the organization, most who live  
25 in the area or around Tracy and in the Central Valley.

12/04.01,  
15.01  
cont.

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1 First off I would like to state that the  
 2 Lawrence Livermore National Laboratory were to be  
 3 converted to civilian science initiatives would employ 13/07.01  
 4 more people and have more spin offs than are currently  
 5 occurring. In fact, now when something spins off from  
 6 the Lab, that is called nuclear proliferation, often.  
 7 I would like to formally request an extension of the 14/31.02  
 8 public comment period by 30 days. At Site 300 the  
 9 Tracy Hills development is planned for approximately  
 10 two miles from the Livermore Lab Site 300 boundary and  
 11 ranches, recreational facilities and agricultural land  
 12 are currently right up to and right next to Site 300.  
 13 The socioeconomic impact section of the site-wide 15/15.02  
 14 environmental impact statement must adequately analyze  
 15 the economic and social impact of potential releases  
 16 and accidents at Livermore Lab. This is obviously  
 17 equally true for the community around the Livermore Lab  
 18 main site as well.  
 19 I would note that the environmental impact  
 20 statement draft said that most shots, and you asked  
 21 what shots, those test shots are hydrodynamic test  
 22 shots at Site 300. They are often done with depleted 16/17.01  
 23 uranium use instead of the plutonium cores of bombs so  
 24 they can test new designs and shape charges and  
 25 different things at full scale and they in the past

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1 have used tritium in the shots and apparently are  
 2 planning to use tritium in the shots again in the 16/17.01  
 3 future which is radioactive form of hydrogen and also  
 4 the high explosives. The test shots at Site 300 are  
 5 one of the reasons why the soil and groundwater there  
 6 are so contaminated that Site 300 has its own listing  
 7 on the Environmental Protection Agency's National 17/24.02  
 8 Priorities List which is what's commonly referred to as  
 9 the Superfund list, and by the way the Navy never used  
 10 Site 300, so if the Lab didn't do it, it was the old  
 11 Ohlone Indians.  
 12 We call on Site 300, on the Lab, on the  
 13 Department Of Energy to convert Site 300 to civilian  
 14 science initiatives and specifically to close the 13/07.01  
 15 firing tables at Site 300. We also call on the  
 16 document, if it doesn't choose to do that in the  
 17 document, as an interim measure to let us know how many  
 18 shots a year are planned in the open air, how many are  
 19 planned in the contained firing facility, how many will 16/17.01  
 20 be using tritium in the open air, how many will be  
 21 using tritium in the contained firing facility.  
 22 Storage of nuclear materials. This plan as  
 23 you heard will more than double the storage limit for  
 24 plutonium at Livermore Lab from 1540 pounds to 3300  
 25 pounds. It would increase the tritium storage limit 18/08.02

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1 from 30 to 35 grams and our position is when we call on  
 2 the DOE to deinventory the plutonium and tritium stocks  
 3 at the Livermore Lab not increase them.

18/08.02  
 cont.

4 Plutonium atomic vapor laser isotope  
 5 separation, let me say that word here and now because  
 6 when you look in the document are you going to find it  
 7 is called the integrated technology project but it is  
 8 the old plutonium AVLIS project that we stopped in 1990  
 9 before they ran plutonium in the system. This is a  
 10 scheme to heat and vaporize plutonium and then shoot  
 11 laser beams through it to separate out plutonium

19/27.01

12 isotopes for nuclear weapons experiments. In order to  
 13 do this as you saw in the view graphs they will  
 14 increase the amount of plutonium that can be used at  
 15 any one time in any one room from 44 pounds to 132  
 16 pounds, a three-fold increase and the feed stock I  
 17 believe it said was 220 pounds of plutonium a year,  
 18 most of that plutonium oxide that would have to first  
 19 be converted to metal. There is processing, there are  
 20 hazards at every step of this and they are inadequately  
 21 examined in the environmental impact statement.

20/33.01

22 Further, this has proliferation risks and those must be  
 23 analyzed in the Environmental Impact Statement and as  
 24 we said yesterday, that Environmental Impact Statement  
 25 then needs to be recirculated in draft so that we can

21/01.01,  
 31.04

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1 look at the adequacy of that non-proliferation analyses  
 2 and the adequacy of these additional environmental  
 3 analyses and comments on them before the document is  
 4 finalized.

21/01.01,  
 31.04  
 cont.

5 MR. BROWN: One minute remaining.

6 MS. KELLEY: The document proposes new  
 7 experiments in the National Ignition Facility megalaser  
 8 to use plutonium, highly enriched uranium, lithium  
 9 hydride, lithium deuteride and fissionable materials  
 10 like thorium 232. We were told in 1995 when the  
 11 Department of Energy did a non-proliferation analysis  
 12 that they had no intention of using fissile materials  
 13 like plutonium in the NIF. In fact they didn't look at  
 14 it in that document because they weren't planning to  
 15 use it. Now they are planning to use it. They need to  
 16 redo the non-proliferation analysis. Further, it needs  
 17 to be part of this document, recirculated for public  
 18 comment so that there is some adequacy requirement  
 19 under the National Environmental Policy Act, doing this  
 20 outside the NIPA process is not sufficient.

22/01.01,  
 31.04,  
 26.01

21 Additionally, these experiments will have an  
 22 enormous cost and I found that the cost was missing  
 23 when I read that appendix. It needs to be included.  
 24 The environmental cost, the proliferation cost, but  
 25 also the money cost. This is our tax dollars at work

23/03.02

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1 and we need to know how much of our tax dollars they  
 2 want for these various operations.

23/03.02  
 cont.

3 Tritium target manufacturing, they plan to  
 4 manufacture the targets for the NIF fusion experiments  
 5 here at Livermore. We were told in the mid '90's they  
 6 would never do that at Livermore because it is such a  
 7 populated area and they knew that there would be  
 8 emissions from that activity. Well, now they are  
 9 planning to manufacture the targets and they say that  
 10 that is one of the programs, one of the reasons why  
 11 they want to increase the at risk limit for tritium at  
 12 Livermore Lab nearly tenfold and I am still a little  
 13 confused as to why you would need up to 30 grams of  
 14 tritium in a process at the same time to make small  
 15 targets for the NIF. That requires an awful lot more  
 16 analysis and explanation in this document.

24/26.04,  
 34.01

17 And the other reason given for upping the  
 18 tritium limit tenfold was enhanced test site readiness  
 19 and I know there are diagnostics that use tritium or  
 20 other hydrides in it; however, this was not described  
 21 in an unclassified way in enough detail to comment on.  
 22 That needs to be taken care of and again the document  
 23 recirculated for public comment. It's very important  
 24 that this information be in there because it goes to  
 25 the purpose and need under NEPA. How can anybody

25/39.01

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1 evaluate the purpose and needs statement if there is  
 2 not enough information about what you are planning to  
 3 do in a number of these programs?

25/39.01  
 cont.

4 It also goes to the alternatives. How can  
 5 anyone adequately offer alternatives and evaluate  
 6 alternatives when not enough information is given to  
 7 describe the project?

26/31.01

8 So I call on you to cancel these projects and  
 9 as an interim measure to describe them more adequately,  
 10 do a better job of analyzing the environmental impacts,  
 11 look at the proliferation impacts, do it in the NEPA  
 12 document, recirculate it for public comment. Thank  
 13 you.

18/08.02  
 cont.

27/01.01,  
 31.04

14 MR. BROWN: Tara, and then Loulena.

15 MS. DORABJI: Hello. I am Tara Dorabji I am  
 16 the Outreach Director for Tri Valley Communities  
 17 Against a Radioactive Environment. We have some 3800  
 18 members, many of whom live in the Tri Valley area. I  
 19 am going to respond to several things. First of all I  
 20 just want to get into the record that yesterday there  
 21 were about 450 people that attended the hearings in  
 22 Livermore, so I am really happy to see folks out today  
 23 and just, you know, want that to officially be in the  
 24 record. Many of those people were unable to speak,  
 25 obviously because of time restraints.

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1           Also, I would just say one of the things that  
2 came up a lot in questions yesterday was who makes the  
3 final decision and the answer we got was that it was  
4 Spencer Abraham and Linton Brooks. I am very happy to  
5 see three people on the panel today, but I think in the  
6 future, since there are so many people coming out, this  
7 is such an important issue, it would be really nice to  
8 see a representative from their office at the hearings  
9 attending them so that we feel a level of seriousness  
10 in response to our comments directly in that people are  
11 firsthand taking them. That would be really important,  
12 I think, in the future.

28/31.08

13           In addition, I just wanted to address there  
14 has been a lot of comments and questions about workers'  
15 compensation and the answer to that is it's not in the  
16 SWEIS. Well, why isn't it in the site-wide  
17 environmental impact statement, many of the proposed  
18 projects, specifically, things like putting plutonium  
19 in the National Ignition Facility will result in  
20 increased exposure to workers and what happens once  
21 they are exposed? What happens once they are sick?  
22 What happens once they are dead? That is a reality,  
23 people die making and designing these nuclear weapons.  
24 Children, you know, I mean, you heard from a worker  
25 yesterday that said: How come you are not addressing

29/23.04

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1 the issue about the children. The children of  
2 employees? What about the compensation. That  
3 absolutely needs to be part of the document, there are  
4 severe deficiencies with the compensation act, the  
5 types -- first of all, how you have to prove that, the  
6 types of diseases that are actually and sicknesses that  
7 are actually covered. All of this needs to be expanded  
8 and when you are talking about increasing workers  
9 dangers this needs to be part of the overall analyses.  
10 How will these people become compensated what happens  
11 once they are dead from their work. You know, working  
12 for something that, to them you know they really feel  
13 they are working to serve the nation and they feel  
14 betrayed and that needs to be part of the analyses.  
15           And I also, you know, I think that is an  
16 important critique of the jobs when talking about  
17 employment. I am really disappointed to hear that  
18 neither of the Chambers looked at well what about the  
19 sickness? What about raising issues about who is  
20 getting sick from the work? And I think that is really  
21 important when you are talking about employment too.

29/23.04  
cont.

22           And I would just like to raise an issue too as  
23 far as the revenue from the Laboratories.  
24 Livermore Lab is managed by the University of  
25 California. Through that it's exempt from paying

30/32.03

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1 certain types of state taxes and I think that is an  
 2 issue. How come designing nuclear bombs is a nonprofit  
 3 sort of industry? How come they don't have to pay  
 4 certain types of state taxes and I think, you know,  
 5 that's an issue for the State of California as well.

30/32.03  
 cont.

6 I would also like to reiterate, though, the  
 7 request for extending the public comment 30 days. A  
 8 whole lot of folks never heard about this, you know,  
 9 until last night or last week and they really deserve  
 10 that opportunity to comment and I hope that you will  
 11 take that into consideration and that we will hear from  
 12 you shortly within the next week as to that  
 13 possibility.

31/31.02

14 From there I would like to talk a little bit  
 15 about Site 300. I was actually hoping that today some  
 16 of the view graphs would reflect some of the specific  
 17 issues at Site 300 like I noticed one on the water, you  
 18 know. It said that all groundwater, you know,  
 19 remediation that is occurring will continue but it  
 20 doesn't mention at Site 300 there is groundwater  
 21 contamination that continues and it is actually above  
 22 drinking water standards.

32/24.02

23 MR. BROWN: One minute left.

24 MS. DORABJI: And I would specifically with  
 25 Site 300 like to say that there is a major expansion

33/04.02

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1 going on. There should not be this expansion, such as  
 2 building a whole new energetic materials processing  
 3 center. This would be a huge high explosives  
 4 processing facility capable storing up to 3000 pounds  
 5 of explosives. We don't need to be expanding in the  
 6 explosives. We call specifically to look at  
 7 environmental remediation, cleaning up, not going on  
 8 and continuing the explosives and actually building  
 9 whole new facilities where there is endangered species  
 10 and really neat habitats such as native grasses in  
 11 California and in addition it will increase, the  
 12 proposed alternative does increase, the population dose  
 13 to the general public and there is real community  
 14 health risks happening here and it's not acceptable.

33/04.02  
 cont.

15 The maximum exposed individual routine would  
 16 more than double under the proposed action and  
 17 specifically I would like to know about the 194 curies  
 18 that are predicted under the no action alternative.  
 19 It's assumed that there will be a release of 194 curies  
 20 of tritium but there wasn't any releases in 2001. What  
 21 are these experiments and why is it listed under the no  
 22 action alternatives if there were no releases in  
 23 2001 --

34/17.04

24 And finally, just one final comment on the  
 25 plutonium disposition: One of the reasons that

35/08.02

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1 Livermore Lab is having such difficulty getting rid of  
 2 their excess plutonium is because it is a major issue.  
 3 This stuff is radioactive for 240,000 years and other  
 4 states don't want to have it and they want to keep  
 5 playing with it and so this is a huge issue for the  
 6 State of California. If we let this come to Livermore,  
 7 where is it going to go? Who wants to take it, you  
 8 know? I mean, it is a huge issue. Governors have been  
 9 laying down at their state border saying no more  
 10 shipments of plutonium and here we have our local  
 11 representative, I'm in Livermore, Tauscher really  
 12 saying you know we support the plutonium. She was just  
 13 quoted in the Chronicle today. And this is a legacy  
 14 waste that I am going to have to be living with and  
 15 that is a question and I don't have children, I haven't  
 16 actually birthed a child at this point in my life time  
 17 and I have to let you know I would feel guilty, I would  
 18 feel guilty carrying my child in Livermore because I  
 19 know about the low dose radiation. I am educated about  
 20 it. I understand the biological effects and I would  
 21 feel guilty and so to me, raising the plutonium limit  
 22 at Livermore is not just absurd but it's, you know,  
 23 it's preposterous and it needs to be deinventoried so  
 24 thank you for hearing my comments and I'll go on to the  
 25 next.

35/08.02  
 cont.

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1 MR. BROWN: Thank you. Okay. Loulena Miles  
 2 is next and Suzanne Huntoon. We are just about a third  
 3 of the way through our speakers I think. To be  
 4 considerate of those signed up to follow, if you folks  
 5 can stick closer to the five minute rule that would  
 6 help.

7 MS. MILES: My name is Loulena Miles I am the  
 8 staff attorney at Tri Valley Cares. I am here to talk  
 9 about a little bit of the general direction of the Lab  
 10 and then a couple specific programs. My position at  
 11 Tri Valley Cares position is the Lab is moving in the  
 12 wrong direction. This is an inappropriate use of  
 13 funding in a post Cold War era to be committing the Lab  
 14 to an almost exclusive nuclear weapons mission for the  
 15 foreseeable future.

36/03.01

16 I also feel that it is irresponsible for such  
 17 a community of premier scientific minds to conceive of  
 18 conducting such high risk projects in the midst of a  
 19 seismically active area and a densely populated suburb  
 20 of the San Francisco Bay Area.

37/14.01

21 I want to object to a number of projects and  
 22 echo the sentiments of my colleagues and the community  
 23 that have spoken before me; but, specifically I want to  
 24 focus on two things today: The treatment of the  
 25 biological assessment and the bio warfare agent

38/35.01

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1 research at the labs and I will be following this up  
 2 with written comments.

38/35.01  
 cont.

3 So first of all, I just want to bring up,  
 4 Mr. Grim, in your presentation today, you mentioned  
 5 projected minor loss of animals and habitat that are in  
 6 the proposed alternative and I want to talk about some  
 7 of the loss at Site 300.

8 We are not just talking about animals and  
 9 habitat. We are talking about endangered species and  
 10 we are talking about possible critical habitat, areas  
 11 that was listed as critical habitat and is likely to be  
 12 relisted as critical habitat including even one flower  
 13 species long thought to be extinct in California.

39/16.02

14 According to the SWEIS itself the Lab at Site 300 could  
 15 be judged as one of the largest native grasslands of  
 16 this kind currently known in California. At the site  
 17 the Lab is proposing to build a new energetic materials  
 18 processing center, 40,000 square foot high explosives  
 19 processing facility with magazines for storing up to I  
 20 believe 3,000 pounds of high explosives. Also  
 21 explosive testing will occur one mile from the Site 300  
 22 northern border on a weekly to daily basis that will  
 23 primarily affect birds but the document does not talk  
 24 about the contamination and fall out in the biological  
 25 assessment and how that could affect species. It does

40/16.04

41/16.05

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1 say that diurnal raptors that forge directly over the  
 2 facilities are the species most vulnerable to flying  
 3 debris and shock over pressure. I would like to see  
 4 the other environmental effects outlined in the final  
 5 document and actually I would really like to see a  
 6 draft recirculated so that the community can actually  
 7 comment with a full breadth of knowledge on these  
 8 issues.

41/16.05  
 cont.

9 I also wanted to just mention that there are  
 10 six federally listed endangered, threatened, proposed  
 11 threatened or candidate species that will be affected  
 12 by the plans and including the California red legged  
 13 frog and the tiger salamander and as I asked in my  
 14 questions DOE's plan in the SWEIS will violate current  
 15 agreement with the US Fish and Wild Life Service to  
 16 take or kill probably 25 species, 25 individual  
 17 organisms and different species. The new projects will  
 18 require a greater take. The SWEIS does not outline  
 19 what the desired take will be or even what it possibly  
 20 could be based on these expansions at Site 300 and I  
 21 would like to know what the Lab could foresee as being  
 22 the take and how they plan to mitigate that take. They  
 23 do talk about the sharp facility as a potential  
 24 mitigation option for that take and that we feel is  
 25 very inappropriate because they do, in the document

42/16.03

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1 itself it mentions that there is tritium contamination  
 2 there and I do not think that that's an appropriate  
 3 mitigation measure for a breeding pond for red legged  
 4 frogs which is an endangered species in California and  
 5 that lab, that area at Site 300 will probably be in the  
 6 critical area for the species.

42/16.03  
 cont.

7 MR. BROWN: You are at the four minute mark.

8 MS MILES: The other thing I wanted to bring  
 9 up is the biological warfare agent research at the Lab.  
 10 There has been an explosion of this work in recent  
 11 years. Most recently in December 2002 the Lab approved  
 12 a BSL-3. This is the first time the Department of  
 13 Energy has ever housed this high of a level of a bio  
 14 warfare agent facility which is defined by CDC, Center  
 15 of Disease Control, as this level, BSL-3, allowing work  
 16 with agents that have the potential for airborne  
 17 transmission that may cause death if inhaled and left  
 18 untreated this includes agents like an anthrax, bubonic  
 19 plague and botulism. The Lab will be genetically  
 20 modifying and aerosolizing these agents.

21 We do not believe that this type of work  
 22 should be allowed in a super secret nuclear weapons  
 23 laboratory. We feel it is contrary to the spirit of  
 24 the biological weapons convention and it sets a very  
 25 dangerous precedent for other countries in the world.

43/35.01

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1 We also noticed that it is part of the no action  
 2 alternative; however, we pointed out in a lawsuit that  
 3 this document was fatally flawed. The approval  
 4 document for that facility and that there is a current  
 5 Court order disallowing impacts or importing of these  
 6 agents based on the totally, well based on the fact  
 7 that we are currently in litigation on it. So I think  
 8 that should be reflected in the document. I think that  
 9 is relevant information. There was a totally  
 10 inadequate accident scenario in the approval document.  
 11 There was no modeling that was done at Livermore Lab on  
 12 how these agents could be released. They relied on  
 13 outdated models that were done on a whole different  
 14 facility and not even within the Department of Energy.  
 15 And in light of the rapidly expanding bio warfare agent  
 16 research we urge the energy department to not just do  
 17 an EA which is a very flimsy environmental document but  
 18 to conduct programmatic environmental assessment for  
 19 the expanding bio programs at the Lab not just include  
 20 this in a small EA and encrypted mentions in the  
 21 site-wide EIS.

43/35.01  
 cont.

44/25.04

22 And the last comment I have is just about the  
 23 fact that many of the projects at the Lab are  
 24 duplicative or even in triple what is already going on  
 25 within other DOE sites including the BSL-3, they

45/08.01

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1 proposed one at the same time at the Los Alamos Lab.  
 2 It is inexcusable to conduct a site-wide environment  
 3 impact statement without consideration of a rational  
 4 division of labor among the labs such as Los Alamos and  
 5 Livermore Lab and to think about not duplicating and  
 6 wasting our tax dollars, not duplicating the hazards  
 7 and what are you thinking in putting this in such a  
 8 highly populated area. I urge to you rethink more  
 9 efficient and safer ways to spend or tax dollars, thank  
 10 you.

45/08.01  
 cont.

11 MR. BROWN: Suzanne Huntoon to be followed by  
 12 John Huntoon.

13 MS HUNTOON: Hello. I would like to thank you  
 14 for the opportunity to be here today and I would like  
 15 to thank you for your beautiful slide presentation and  
 16 your overviews, but unfortunately, my friends, the  
 17 proposal, the slide review, is all inane and inadequate  
 18 and antiquated and I say that because all which we have  
 19 been presented has been totally out of context. It is  
 20 non-contextual. It doesn't really reflect the world at  
 21 large and the reality of the proliferation of the  
 22 knowledge of nuclear bomb making which is spreading  
 23 rapidly all over the world. As a matter of fact, I  
 24 think that some people even assert that a lot of this  
 25 information can be gleaned from the internet. We have

46/01.01

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1 come to a fact in the world where a country, if it is  
 2 competent, if it is intelligent, it has the equivalence  
 3 of having the nuclear capacity. So we are faced with  
 4 everyone having this knowledge, which I believe impacts  
 5 on the, you know, legitimacy of the Livermore Labs.  
 6 It's all over folks. And it peaked quite a while ago.  
 7 The fact is: If our scientists stubbornly cling to the  
 8 idea of research and development. Maybe they than  
 9 concentrate on miniaturizing nuclear weapons so we can  
 10 fit them in our wallet, how about our purse, our hip  
 11 pocket. Livermore Labs is a dinosaur and its  
 12 extinction is inevitable. I think the sooner we wake  
 13 up to that and that Livermore Labs, the public, the  
 14 Department of Energy and the people of the  
 15 United States and our government wake up to that the  
 16 sooner the better, but I digress.

17 My name is Susan Huntoon and I live in  
 18 Stockton California. My three-and-a-half years of  
 19 living in California and most specifically next to the  
 20 Livermore Labs has taught me an immeasurable mass of  
 21 critical tough realities about the truth of the  
 22 proliferation of weapons of mass destruction in my very  
 23 own backyard and the subsequent hazardous fallout of  
 24 the irrational and absolutely unnecessary increase in  
 25 the production and experimentation of nuclear materials

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1 by Livermore Labs through the sanction and funding of  
 2 the Department of Energy. Our public concerns  
 3 collectively increase and so it is we witness the  
 4 gathering power of the citizen watch dogs of the Tri  
 5 Valley community. One could say that our inspiration  
 6 today is taken from the image and history from the  
 7 constellation of Canis Major, that celestial watch dog  
 8 of the after world and the star of Sirius, the  
 9 brightest star of the heavens, forming the eye of that  
 10 great beast, shining, piercing through the darkness of  
 11 our hearts and minds with questions of truth. What is  
 12 it exactly that we earthly watch dogs of Livermore Lab  
 13 see and hear that awaken our ears and eyes to the call  
 14 of seeking meaningful believable answers to our  
 15 questions? It is in fact in the sounds that completely  
 16 surround us. Those sounds of planning, of the planning  
 17 of doubling the storage of plutonium at the labs  
 18 resulting in the increase of the lethal potential and  
 19 the severity of accidents to rise from the former base  
 20 of 44 pounds to 132. I object to the program to  
 21 reactivate this vaporization of plutonium, a program  
 22 that was negated and ended in the '80's which somehow  
 23 has reared its ugly head again.

24 MR. BROWN: At the four minute mark.

25 MS HUNTOON: I object to the planning of

47/27.01

48/02.01

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1 developing more than 300 more nuclear bombs despite the  
 2 thousand of nuclear bombs that are already on US soil.  
 3 We see the hypocrisy of the US government's hysteria of  
 4 the alleged possession of agents of chemical warfare by  
 5 third world countries while the US Livermore Labs  
 6 openly reengages with aggressive experiments with  
 7 pathogens of botulism, black plague, small pox and  
 8 anthrax. Yet, let us remember, not only ten --  
 9 according to the Nuclear Research Institute in  
 10 Washington, D.C., only ten detonated nuclear bombs can  
 11 trigger nuclear winter and for those of you who do not  
 12 understand what nuclear winter is, it is the collective  
 13 smoke, debris, pollution that forms a global black  
 14 cloud over the surface of the sky thus blocking out any  
 15 sunlight to the surface of the earth, temperatures drop  
 16 radically into the subfreezing zone extinguishing all  
 17 life on earth, ending time as we know it. The complete  
 18 annihilation of the earth and we are sitting here  
 19 talking about some more research into nuclear weapons?  
 20 We demand a return to reason, sanity and compassion. A  
 21 drawing down, a closing down of the operation and  
 22 production of weaponry that fuels the profane  
 23 spirit-binding and mind-binding obsession with death as  
 24 a pathway to peace and life. I certainly concur with  
 25 converting the Lab to civilian research, research that

48/02.01  
cont.

49/35.01

50/32.02

51/07.01

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1 would reshape our society to a culture devoted to the  
 2 quality life issues of all peoples everywhere. Thank  
 3 you.

4 MR. BROWN: John Huntoon and Peter Strauss  
 5 will be next.

6 MR. HUNTOON: My name is John Huntoon. I live  
 7 in Stockton, California. My better half is Suzanne  
 8 Huntoon. I'd like to say, to start with, that there is  
 9 nothing that I can say that reflective of the way that  
 10 I feel that hasn't already been said by people who have  
 11 a much better grasp of the details and the procedures  
 12 of an environmental impact statement and so forth.

13 Next month I will be 75 years old and so you  
 14 wouldn't find it unusual for me to take you back to a  
 15 time after the second world war and the use of nuclear  
 16 bombs on Nagasaki and Hiroshima. Perhaps, I don't know  
 17 whether there is anybody here, really, who could have  
 18 seen the documentaries; the news reels that were made  
 19 at the time that could describe the complete horror of  
 20 the effects on the citizenry of Nagasaki and Hiroshima.  
 21 I can tell you that if the Livermore Labs were somehow  
 22 magically transported and put in the center of Nagasaki  
 23 and Hiroshima, you would have a riot of massive  
 24 proportions in Japan throughout Japan to anybody who  
 25 might even consider doing that. So the objections that

51/07.01  
 cont.

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1 have been raised here are not local; they are not even  
 2 regional. They are world wide. I can make the same  
 3 claim if you wanted to put, say, Livermore Labs in the  
 4 center of Stuttgart. You folks would be running for  
 5 the hills -- the people in Germany wouldn't permit it.  
 6 They would be out in the street in a second throughout  
 7 the country.

8 So, to think, you know, that what's being  
 9 proposed here is somehow local is the biggest mistake  
 10 in the world. I would just like to mention really  
 11 three things, one I have already done it.

12 I wanted to take you to a time in the past  
 13 when a country actually used nuclear weapons. That was  
 14 the United States. I want to take you to a time where  
 15 we are sitting right here right now and we are  
 16 discussing what is, and that's what these gentlemen are  
 17 paid -- and young lady are paid to do. That is how  
 18 they earn their living, to defend what is at this  
 19 laboratory, it is slight tinkering, slight  
 20 modifications. That's their job.

21 MR. BROWN: You are at the four minute mark.

22 MR. HUNTOON: Okay. So to think, you know,  
 23 that what you can achieve here today, in terms of what  
 24 a lot of people have suggested -- close the Lab down or  
 25 don't go ahead with anything new -- it's not really

52/07.03

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1 very realistic to think you can do that through a  
 2 public hearing. No. It's gonna take more than that.

3 I would suggest one thing that might be done.  
 4 You folks who represent the Lab indicate on a piece of  
 5 paper where the contamination is according to you; what  
 6 the downsides are and what the advantages are of moving  
 7 ahead with these plutonium bits and so forth and then  
 8 the newspaper, the local newspaper, run that compared  
 9 to some of the charges that have been made by Tri  
 10 Valley Cares and then ask for public comment on  
 11 credibility. Who do the average citizens believe?

12 So with regard to what is, you know, I think  
 13 you really have to challenge the way things are being  
 14 done here.

15 In terms of what will happen, what can happen,  
 16 I don't really think anybody in their right mind could  
 17 say that Livermore Labs is not involved in the  
 18 production of nuclear war heads, nuclear bombs, because  
 19 manufacturing is a process that you have to begin  
 20 somewhere and this is one of the places that it begins.  
 21 The end result are nuclear war heads in submarines,  
 22 airplanes, all over the place. There are plenty of  
 23 nuclear weapons right now to destroy the earth four or  
 24 five times over. So there really isn't any need for  
 25 more new nuclear weapons but let's say you develop

53/04.01

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1 these super bunker busters and some of the other things  
 2 you have in mind -- in whose hands are these being  
 3 given? You are giving them to a President who  
 4 describes himself as a war President -- lands on  
 5 aircraft carriers -- a Secretary of Defense who, along  
 6 with his aides have developed a new foreign policy that  
 7 includes preventive wars. Is there any doubt among  
 8 people in the United States that the military intends  
 9 to use these things mini nukes, tactical use.

10 MR. BROWN: If you can just make a final  
 11 point.

12 MR. HUNTOON: They will be used either  
 13 purposely as we have already done or accidentally and  
 14 the notion of deterrents and this is my final point if  
 15 you will bear with me, the development of nuclear  
 16 warfare is not deterring anybody -- North Korea, Iran,  
 17 you know -- it is not deterring anybody. So where the  
 18 United States could show the leadership is to be the  
 19 first in eliminating and cutting back the use of  
 20 nuclear weapons. Thank you very much.

21 MR. BROWN: Thank you. Okay. Peter Strauss  
 22 is next and then Grant Bakewell.

23 Let me suggest that we still have a number of  
 24 speakers. I don't know if any of them have other  
 25 obligations, but if they have to go, if you folks could

53/04.01  
cont.

54/32.02

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1 come closer to observing the five-minute mark, if you  
 2 have remaining comments, what I would like to do is to  
 3 get through the folks who have signed up within the  
 4 five minute limit and if people have additional  
 5 remarks, I will be glad to come back to you and let you  
 6 complete the statement, but I think out of courtesy to  
 7 those who signed up that I would like to try and stick  
 8 a little closer to five minutes. Sorry to interfere.  
 9 Peter.

10 MR. STRAUSS: Yes. I am Peter Strauss. I am  
 11 environmental scientist and I have worked as a  
 12 technical advisor for Tri Valley Cares for a number  
 13 years. For the purpose of saving time I will  
 14 concentrate on really two subjects, the accident  
 15 analysis and the impacts on Site 300, but first I would  
 16 like to ask the gentleman here that I noted reading the  
 17 SWEIS that the groundwater and soil contamination at  
 18 both the main site are given very little mention and it  
 19 should not be over looked in your deliberations of that  
 20 expanding programs at the Lab, both sites are for  
 21 Superfund sites and commitments are made to state  
 22 agencies, the EPA and the community about cleaning up  
 23 existing contamination. What I'm concerned about is  
 24 that as you increase programs, you are going to put  
 25 strain on the cleanup budget and you are going to be

55/24.03

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1 paying -- you are going to be paying Peter to rob -- I  
 2 got it the other way around -- but, you understand.

55/24.03  
cont.

3 For the accident analysis I have included, I  
 4 have read through the whole thing and I really have  
 5 concluded it's deficient and would considerably  
 6 underestimate the consequences of a major accident.  
 7 The Defense Nuclear Facility Safety Board which is a  
 8 board set up by Congress has criticized Lab operations,  
 9 historically, and most particularly at Building 332.  
 10 Most recently in a letter in April of 2004 it  
 11 criticized accident analysis methodology and I note  
 12 that it recommended that the plutonium building being  
 13 shut down because of safety concerns back in 1995,  
 14 which it was, and in a letter from John Conway, its  
 15 Chairman, on a number of criticality infractions at  
 16 Building 332 raised questions as to whether DOE is  
 17 staffed with the technical capabilities necessary to  
 18 provide guidance and LLNL management appears not to  
 19 recognize or fully appreciate all of the problems of  
 20 hazardous work.

56/25.06,  
25.07

21 One of the most startling things that I saw  
 22 was that the airplane crash scenario in your accident  
 23 analysis only assumes a small single engine aircraft  
 24 would be involved in an accident. That overlooks  
 25 commercial airlines; commercial jet airliners

57/25.08

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1 originating from San Jose; Oakland, San Francisco;  
 2 Sacramento and military aircraft from Moffat Field and  
 3 this needs to be recalculated and I assume that a large  
 4 airplane crash would be the predominant accident at any  
 5 of the buildings at the Lab including the 332 but I  
 6 would like to see that analyzed.

57/25.08  
 cont.

7 MR. BROWN: You are at the four minute mark.

8 MR. STRAUSS: Only latent cancer fatalities  
 9 are reported in the accident analysis. What about all  
 10 the other kinds of illnesses that occur from a  
 11 radiation accident? That is not recorded. You can't  
 12 make any analysis of that. Building 332 has emergency  
 13 diesel generators that provide power in the case of an  
 14 emergency of the power supply and during the '90's five  
 15 times during inspections they didn't operate. An  
 16 accident scenario should include that and I notice that  
 17 the Board that I mentioned earlier in 2002 said the  
 18 staff observed a fundamental lack of understanding of  
 19 system vulnerabilities in the Building 332 emergency  
 20 power system.

58/25.06

21 I think that most of the things that I wanted  
 22 to mention at Site 300 were mentioned, but one of the  
 23 things that the accidents -- it doesn't appear that you  
 24 considered a massive wild fire that cannot be  
 25 controlled by a fire fighting capability that you have

59/17.07

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1 at present. That was brought up in another forum and I  
 2 think it's of concern, of community concern, that it  
 3 should be analyzed, at least analyzed. Thank you.

59/17.07  
 cont.

4 MR. BROWN: After everybody is finished, if  
 5 you have some remaining points, we will glad to let  
 6 you --

7 MR. STRAUSS: I will send them.

8 MR. BROWN: Thanks, Peter. Okay. Grant  
 9 Bakewell is next and then Ena Aguirre.

10 MR. BAKEWELL: Hi. My name is Grant Bakewell.  
 11 I am a social worker, homecare worker and a job trainer  
 12 for people with disabilities and most recently a  
 13 chaplain at UC Medical Center in Sacramento. I am also  
 14 a graduate of the UC Davis and a graduate theological  
 15 union in Berkeley where for over 13 years we held a  
 16 silent vigil twice weekly calling upon the conscience  
 17 of UC and the community to end oversight of the  
 18 Livermore and Los Alamos weapons laboratories or  
 19 convert them to civilian use and that is the point that  
 20 I would like to speak to today.

60/07.01

21 I will try and keep this brief for others as  
 22 well, but last week I had the opportunity to hear Nobel  
 23 Peace Prize Winner Desmond Tutu speak in Stockton just  
 24 up the road about the success in Africa over the last  
 25 ten years in turning a country that once was the source

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1 of an incredibly vicious and most people would say evil  
2 system into a successful, democratic regime entirely  
3 committed to equality and freedom for every human being  
4 and completed this through an entirely nonviolent  
5 process. This regime change, if you will, is now an  
6 example for what the world can do when it comes to any  
7 major in justice or unjust system of any government  
8 anywhere.

9 In addition, at the end he cited the progress  
10 of the truth and reconcile commission for people who  
11 were once enemies and both victimizers and victims to  
12 come to some sort of reconciliation with one another.

13 Finally, although he didn't note this, I would  
14 like to note that the first action, to my knowledge,  
15 public international action, although there may have  
16 been others local to South Africa, that Nelson Mandela  
17 made when he was President after he was elected, was to  
18 abolish and dismantle the nuclear weapons arsenal that  
19 is in South Africa.

20 I would submit to you that if this can be done  
21 in a period of ten years when I would say even in the  
22 '80's most people were thinking South Africa had no  
23 hope for change, sort of a terribly violent so -- and  
24 if the nation can do this not only successful regime  
25 change nonviolently but also end and abolish their

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1 nuclear weapons facilities and potential, that sets an  
2 example not only for the third world but also for us  
3 and I would just like to close, if you will, by giving  
4 you a copy of this book and I was thinking of giving it  
5 to Phil because I probably will be able to communicate  
6 at least with Tom by way of some little bit more  
7 prepared statement that I had prepared today, but  
8 Bishop TuTu called upon us to consider God's dream for  
9 us as human beings and I would just like to encourage  
10 all of us here and particularly those at the Lab to  
11 consider what is God's dream for us? What is it for  
12 you as individuals and what is it for us as a nation,  
13 as a State and for the Lab itself. Is it to continue  
14 with the same thing or is it to envision what the  
15 Prophet Micah once said, the sword shall be beaten into  
16 plowshares, spears into pruning hooks, nations shall  
17 not lift up sword against nation neither shall they  
18 learn war any more. Some people envision this as the  
19 end time but I would say it is a vision that can be  
20 realized in our time and at least to make progress  
21 toward that dream to me is what is the good news that  
22 you have as officials of this Laboratory in addition to  
23 the bad news of what we have seen so much of in our  
24 State and throughout the world as a result of these  
25 terrible efforts so I encourage you to please consider

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1 this. Let me give it to you and thank you for your  
 2 time.  
 3 THE COURT: Okay Ena will be followed by Gary  
 4 Bailey.  
 5 MS. AGUIRRE: Good afternoon. My name is Ena  
 6 Aguirre. I am a member of the Board of Directors of  
 7 Tri Valley Cares. I would like to state that I became  
 8 involved in Lawrence Lab and Tri Valley Cares because  
 9 of Site 300.  
 10 As to the content of the draft site-wide  
 11 environmental impact statement on Livermore Labs  
 12 operations for the coming ten years. I am not an  
 13 expert. My comments are really a reflection of  
 14 documents that I have read and looked at from Tri  
 15 Valley Cares.  
 16 As to my recommendations, do not develop new  
 17 nuclear weapons. Do not vaporize plutonium. Do not  
 18 manufacture plutonium bomb cores. Do not import live  
 19 anthrax, plague and other deadly pathogens. Do not  
 20 double the plutonium limit. Do not manufacture  
 21 radioactive tritium, targets for NIF. Do not attempt  
 22 to create thermal nuclear explosions. Do not start the  
 23 process to conduct full scale underground nuclear  
 24 tasks. Do not mix bugs in bombs. No transportation of  
 25 nuclear waste. Do not test new manufacturing

61/04.01

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1 technologies for producing plutonium pits for nuclear  
 2 weapons.  
 3 At yesterday's Livermore hearing speakers  
 4 said: Addiction to nuclear weapons should not be the  
 5 basis for a jobs program. I concur with that statement  
 6 because the health and wellness of a lot of us is not  
 7 being taken into consideration when jobs become the  
 8 mantra and/or (inaudible) for the Lawrence  
 9 Livermore Lab. I would like to request that public  
 10 comment period be extended for 30 days and I believe of  
 11 the power of the individual. When the individual works  
 12 together with groups like Tri Valley Cares, we can, in  
 13 fact, make dramatic changes. Thank you.  
 14 MR. BROWN: Gary Bailey is next and Gail  
 15 Seymour.  
 16 MR. BAILEY: I am Gary Bailey. I live in  
 17 Sunnyvale California. I am a long time Silicon Valley  
 18 electronic engineering and manager. I led a team of  
 19 engineers a few years ago DSL systems for high speed  
 20 internet access and I would like to, before I put my  
 21 comments on my observation on the EIS, I would just  
 22 like to point out that following up on the earlier  
 23 speaker, I think when only comprised of crashes of  
 24 small planes are considered, it seems to me that full  
 25 risks of terrorist attacks probably have not been

61/04.01  
cont.

62/31.02

63/25.08

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1 adequately considered and I think maybe that -- I think  
 2 that is something that should be added to the EIS  
 3 thorough analysis of terrorist attacks which obviously  
 4 as we know could be crashes of large planes and of  
 5 course other kinds of attacks.

63/25.08  
 cont.

6 I would like to preface my remarks by saying I  
 7 recognize certainly the importance of maintaining the  
 8 security safety and reliability of our nuclear weapons  
 9 and that I would also like to applaud our President's  
 10 widely publicized efforts to prevent the spread of  
 11 nuclear weapons to more and more places in the world  
 12 and I think in order to assure or hope for some success  
 13 in that effort it is very critical that we maintain the  
 14 credibility of the United States in that which has to  
 15 include not embarking on research and development of  
 16 new nuclear weapons because certainly how can we expect  
 17 other countries to listen to us when we tell them not  
 18 to develop their own nuclear weapons if we are  
 19 developing more. The EIS, I have a couple comments,  
 20 the whole world knows we have more nuclear weapons than  
 21 we possibly need to protect our country from invasion,  
 22 so I think it is absolutely not acceptable for there to  
 23 be any increased exposure of the populus to radiation  
 24 because of activities at Lawrence Livermore Labs and I  
 25 think it is absolutely not acceptable for there to be

64/01.01

65/23.01

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1 any increase in cancer risks for the general populus  
 2 because of activities at Livermore Labs. And  
 3 furthermore I think is absolutely not acceptable for  
 4 there to be any damaging effects on wild life  
 5 especially the six species mentioned in the biological  
 6 analysis that are mentioned as endangered and  
 7 threatened so I recommend that the Department of Energy  
 8 adopt an approach which prevents any possible exposure  
 9 of the populus to radiation for increased cancer risk  
 10 and any possible damage, further damage to wild life  
 11 and their habitats. Thank you.

65/23.01  
 cont.

12 MR. BROWN: Thank you. Gail Seymour and then  
 13 Lynnett Eldredge.

14 MS. SEYMOUR: My name is Gail Seymour. I am  
 15 trained as a classical pianist and I am not trained in  
 16 public speaking at all but I was able to gather some  
 17 thoughts.

18 I wanted to quote first from a book by Gopi  
 19 Krishna, Page 9, Biological Basis of Religion and  
 20 Genius. Ghandi taught a way of political struggle  
 21 which ruled out any means not in keeping with the  
 22 desired goal. He believed that a nonviolent state can  
 23 be reached only by nonviolent means. But the linear  
 24 causal manner of technological thinking sharply  
 25 distinguishes between ends and means. The dissolution

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1 of reality into a network of causal chains is a  
 2 mistake. A culture which misunderstands reality that  
 3 way destroys the very reality it intends to control and  
 4 improve or liberate as in Fallujah.

5 I don't know, some famous person wrote a  
 6 statement that I kept in my mind and it is: We cannot  
 7 simultaneously prepare for and prevent war.

8 Also I've seen a bumper sticker, war is  
 9 terrorism with a larger budget.

10 And I just wanted to say, first of all, I  
 11 would like to go on record as seconding everything that  
 12 Marylia Kelley said because she knows what she's  
 13 talking about --

14 And I would also like to second the  
 15 recommendations of the Unity Chaplain from Palo Alto  
 16 because I am also a member of the Unity Church in  
 17 Sacramento just coincidentally --

18 And I care about the future of Livermore Lab  
 19 because I'm alarmed by the sort of legacy I am passing  
 20 onto today's newborns, let alone 7th generation from  
 21 now, if there is one --

22 And I am supposed to give specific  
 23 recommendations, so I think the Lab should be converted  
 24 to civilian research. There should be a recirculation  
 25 of a new draft SWEIS and I think one of the most urgent

66/07.01

67/31.04

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1 priorities in a new document would be to include a  
 2 detailed human environmental impact and a budget  
 3 describing in detail how they plan to adhere to current  
 4 international treaties. I think that is under

5 environment. And biological warfare research should be  
 6 stopped and I had just per chance a few of these things  
 7 that I think just should be stopped. I think plans to  
 8 build a modern pit facility should be stopped. I think  
 9 they should cancel experiments with plutonium in the  
 10 NIF. I think they should stop planning to build the  
 11 energetic materials processing center and such things  
 12 as people have already mentioned. Thank you very much.

13 MR. BROWN: Thank you. Okay, Lynnett  
 14 Eldredge.

15 MS. ELDREDGE: Well, I did not intend to speak  
 16 today and I have no prepared statement and I am not a  
 17 public speaker, but I wanted to go on record as  
 18 opposing what I consider a terrifying prospect and it  
 19 just seems like an endemic cultural insanity that could  
 20 have allowed this to get to this point.

21 I am a mother of three and a grandmother of  
 22 two and I am extremely concerned about the future for  
 23 our children 7 generations ahead even one generation  
 24 ahead. It's hard to imagine a world as toxic as we are  
 25 making it that will allow life for very much longer,

68/03.01

69/04.01

70/04.01

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1 certainly healthy life and one of the concerns that  
 2 came to me mind today from hearing the presentation  
 3 this morning is about the plutonium waste. They said  
 4 they were working on ways or looking into ways to  
 5 dispose of it safely and they don't have one and you  
 6 don't produce something that is going to be toxic for  
 7 thousands of years with no way to dispose of it and  
 8 just keeping making more and more and more -- that, to  
 9 me, is insane. And so I would recommend that there be  
 10 no more plutonium or tritium allowed at the Lab until  
 11 they have a way to make it harmless, which will  
 12 probably never happen, so I advocate the precautionary  
 13 principal -- in other words, if there is any risk at  
 14 all, you can't really calculate what it is. Accidents  
 15 are accidents. You can't really know what's going to  
 16 happen. We don't know everything. We cannot predict  
 17 with certainty what the odds are and any risk is too  
 18 much when you are talking about things as deadly as  
 19 plutonium, tritium and biological agents such as an  
 20 anthrax, plague, et cetera. The precautionary  
 21 principal would urge us to not allow this to happen; in  
 22 other words, you would not manufacture these things  
 23 without -- unless you could prove that they were safe,  
 24 which obviously, in this case, they aren't.

25 I am very concerned about just the ramped up

71/31.10

71/31.10  
cont.

72/02.01

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1 research of technology that's being proposed -- seems  
 2 to me to be very much in line with the current  
 3 administration's plan to expand our nuclear weapons  
 4 program and put nuclear weapons back on the shelf as a  
 5 viable alternative in warfare which should have gone  
 6 out with the Cold War but now we are the only ones,  
 7 supposedly, that can have them. We are once again  
 8 feeling safe enough to be able to use them so they are  
 9 back on the shelf because we have no fear of  
 10 retaliation.

11 MR. BROWN: Four minute mark.

12 MS. ELDREDGE. I think that is a very dangerous  
 13 step backwards. It makes the world much less secure.  
 14 How would we feel if we lived in another country and  
 15 there was a big country with all kind of money poured  
 16 into development of these weapons that they could use  
 17 on my country, especially if I had resources like oil  
 18 and how would I feel and what would I want to do? I  
 19 would want to defend myself. It does not make the  
 20 world more safe, it makes it less safe.

21 So I would urge that the site be converted to  
 22 civilian science purposes. I would suggest furthermore  
 23 that it were turned into a site for alternative energy  
 24 resource development. It could provide many jobs, the  
 25 spin-offs could be very -- a great economic boon to the

72/02.01  
cont.

73/03.01

74/07.01

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1 area. It could become a model for the whole nation and  
 2 the world for responsible scientific development  
 3 instead of a manifestations of cultural insanity.

74/07.01  
 cont.

4 Thank you.  
 5 MR. BROWN: Thank you. Josh Kearns and Marj  
 6 Fries.

7 MR. KEARNS: All right. My name is Josh  
 8 Kearns. I am an environmental scientist at the  
 9 University of California Berkeley, the world's greatest  
 10 manufacturer of weapons of mass destruction. I want to  
 11 quickly highlight a few concerns that stuck out so far.

12 I recommend not producing any new nuclear weapons  
 13 because likely they will want to test them in a site  
 14 where most have been tested in the past, the Nevada  
 15 Test Site which is an area in the Nevada desert North  
 16 of Las Vegas larger than the state of Rhode Island, all  
 17 of which used to belong to the Western Shoshone Nation  
 18 but it was taken from them against their will by our  
 19 government and used to test about 100 nuclear bombs  
 20 atmospherically, above ground, and then about 8 or 900  
 21 more underground, so technically the Western Shoshone  
 22 are the most bombed people in the world.

23 So, I would like to reiterate the  
 24 recommendation to convert Livermore and also Los Alamos  
 25 Labs to civilian research goals, to do science in the

75/02.01

76/07.02

77/07.01

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1 public interest; military science contrary to probably  
 2 the beliefs of most people that work at the Labs which  
 3 is not done in the public interest it is done in the  
 4 interest of the ruling class in the military industrial  
 5 complex. I think it is really important that we stop  
 6 making nuclear waste, whether for power generation or  
 7 for weapons because we don't know what to do with it.  
 8 We don't have a tenable plan for disposing of it. We  
 9 don't have a place to keep it and it is poisonous to  
 10 all life for hundreds of thousands of years so I think  
 11 that we should stop efforts to create more nuclear  
 12 waste and put our efforts instead into figuring out  
 13 what we need to do with our existing waste.

77/07.01  
 cont.

78/22.02

14 I would like to reiterate the comment that a  
 15 new environmental impact statement needs to be made and  
 16 circulated incorporating criticisms that are brought  
 17 out at these meetings. It seems like this current  
 18 SWEIS is inadequate and it is really poorly put  
 19 together and just kind of inapproachable from a regular  
 20 person standpoint and probably the largest  
 21 environmental impact of this SWEIS is the trees that  
 22 had to be chopped down in order to print out all the  
 23 copies.

79/31.04

24 Next to the last I want to mention kind of a  
 25 concern from today's, I believe Chronicle, which the

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1 title of the article is Livermore Labs assailed for  
 2 holes in security. Investigators call radioactive  
 3 cache vulnerable. The first sentence says  
 4 Congressional investigators charged Tuesday that the  
 5 Lawrence Livermore National Laboratory, one of the  
 6 country's most sensitive nuclear facilities, can no  
 7 longer adequately protect weapons material from  
 8 potential terrorist threats.  
 9 So it seems like a bad idea to bring in more  
 10 plutonium and other hazardous materials when there is  
 11 inadequate security to make sure that a really bad  
 12 accident can occur and then finally, because I am a  
 13 scientist, and I got into science because I wanted to  
 14 help people and make people's lives better and reduce  
 15 the overall amount of suffering in the world. I want  
 16 to make a personal appeal to my colleague scientists  
 17 working at the University and working at Livermore Lab  
 18 and other weapons generating facilities, I just want to  
 19 make an appeal to your sense to consider the ethical  
 20 and social ramifications of the work that you do. I  
 21 think it is important that we consider that not just  
 22 the trajectory of our careers, not just achieving  
 23 success -- publications and all the meritocracy that we  
 24 are required to navigate in the system. I just ask  
 25 that lab employees do some soul searching and really

80/30.02

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1 ask themselves what they believe in and are they living  
 2 in a manner consistent with their values. That's all.  
 3 Thanks.  
 4 MR. BROWN: Marj and Sandra Schwartz is next.  
 5 MS. FRIES: For respected artists in Harkiev  
 6 in the Ukraine, especially to those of you who remain  
 7 vigilant about everything that goes on at Lawrence  
 8 Livermore Labs, I bring you greetings from the fourth  
 9 block, a distinguished triennial art exhibition which  
 10 was conceived in 1991 in memory of those who having  
 11 risked their lives saved the earth from the nuclear  
 12 nightmare of Chernobyl. I was just with one of those  
 13 artists last week here in the United States and it  
 14 brought these hearings close to home for me.  
 15 I am Marj Fries and I represent the readership  
 16 of the Connections Newspaper, the alternative newspaper  
 17 of San Joaquin County published since 1986 with a  
 18 subscriber list of 3,000 and a readership of double or  
 19 triple that. We strongly oppose the DOE proposal to  
 20 increase nuclear weapons programs at Livermore National  
 21 Laboratory. There is good reason for this concern as  
 22 San Joaquin County includes the cities of Tracy and  
 23 Stockton and is within the sphere of exposure to any  
 24 accidents that may occur there. Doubling the plutonium  
 25 levels housed at the Lab, increasing the Lab's tritium

81/02.01

82/04.01

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1 at risk level nearly tenfold and combining a bio  
2 warfare agent research facility with nuclear weapons at  
3 the Lab is definitely not in the interest of the health  
4 and welfare of local residents. Surely DOE is aware of  
5 the population growth rates in Livermore and Tracy and  
6 throughout the San Joaquin County during the past ten  
7 years. The alluring new community billboards lining  
8 the highways from here to Livermore fail to mention  
9 that new home owners and their families will face an  
10 increased risk of leaks, contamination and pollution  
11 from the Lab and its testing facility Site 300.

83/04.01

12 In fact, current risks to potential home  
13 owners is not advertised. Site 300 located in Tracy's  
14 western hills is currently being viewed by the DOE as a  
15 good place to save Superfund clean up money by  
16 evaluating the pollution which includes a plume of  
17 tritium in the aquifer only when it moves off site.  
18 Whether or not this phony proposal is adopted, testing  
19 continues at Site 300 causing further soil  
20 contamination. The proposed elevation of nuclear  
21 weapons research at the Lab will surely increase the  
22 use of the testing range at Site 300. The site, tucked  
23 back in the hollow 50 years ago, today in terms of risk  
24 and contamination borders an urban landscape. We are  
25 gravely concerned that the legacy of past research at

84/23.01,  
24.02

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1 the Lab has left our 50 mile radius neighborhood with  
2 low level radiation leaked into the Bay Area from LLNL;  
3 elevated levels of plutonium in playgrounds; long-term  
4 storage of thousands of pounds of nuclear waste and  
5 materials; elevated levels of skin cancer in  
6 Livermore's children and contaminated aquifers. Lest  
7 my comments be labeled NIMBY, let me stress that  
8 environmental and peace activist in San Joaquin County  
9 oppose extended nuclear weapons research anywhere in  
10 the world. We argue that the lack of environmentally  
11 secure storage or disposal of nuclear waste material is  
12 our greatest nuclear stockpile challenge. Therefore,  
13 we require that the US Government stop developing new  
14 and modified nuclear weapons which pollute our  
15 communities and endanger our health.

84/23.01,  
24.02  
cont.

16 MR. BROWN: Okay, Sandra Schwartz, welcome.

17 MS. SCHWARTZ: Thank you. My name is Sandra  
18 Schwartz. I work for the American Friend Service  
19 committee which is an international organization with  
20 programs in 42 states in 37 countries. We won the  
21 Nobel Peace Prize, are recipients for Nobel Peace Prize  
22 for our work for cleaning up after World War II and  
23 many of our programs around the world are still based  
24 on cleaning up the messes left over from war.

25 And I came here today because clearly, I mean,

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1 I looked at this, and I am like: This is such a  
 2 no-brainer. This is so easy. Clearly, Livermore Labs  
 3 should not be engaged in developing new nuclear  
 4 technologies. They should not be engaged in developing  
 5 new nuclear weapons. This is like easy, right? It's  
 6 easy; but, obviously, it's not that easy for you guys,  
 7 and I appreciate that you probably do want to do these  
 8 things as safely as possible; but, obviously that  
 9 hasn't been true.

10 So, again I came to remind you that the  
 11 solutions lie in nuclear disarmament and abolition of  
 12 nuclear weapons and that we are obligated by treaty, we  
 13 have treaty obligations, for example the  
 14 Non-proliferation Treaty as well as the Test Ban Treaty  
 15 but when I got here and looked at your slides I really  
 16 got extremely angry. I mean, you are talking about,  
 17 you know, it is just like written down here as if it is  
 18 no big deal that there would be increased plutonium  
 19 storage in Super Block. There will be increased  
 20 plutonium material at risk limits in two rooms in the  
 21 plutonium facilities. There will be increased tritium  
 22 facility limits, there will be more exposure to people  
 23 because of the transportation of nuclear materials  
 24 across States and across the State.

25 And then you go on to say that the worker

85/02.01,  
 01.01,  
 04.01

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1 population dose could increase and then you say that  
 2 the increase of cancer -- and then you talk about the  
 3 increase of radiological exposure -- and I am wondering  
 4 how many of you have walked the dark lonely path of a  
 5 dear, beloved family member who has cancer? How many  
 6 of you have been with that person as you see them go  
 7 from this vibrant person who is alive and loves life to  
 8 this withered person with bones covered by skin and  
 9 sees them stick their little arm out to get the needle  
 10 to get a little more chemotherapy as they struggle to  
 11 live and watch them and hold their back as they puke  
 12 their guts out because they are so sick and you talk  
 13 about it, and it's like, it is an increased possibility  
 14 of cancer. I don't understand that how that's  
 15 possible.

16 I don't understand how anybody would think  
 17 that even one more person suffering would be willing to  
 18 take that kind of risk. And so I would ask you -- I am  
 19 sorry --

20 I think that obviously conversion to civilian  
 21 uses is the best opportunities for the future. I heard  
 22 the Chamber of Commerce person talking about how many  
 23 jobs the Labs provide; but clearly, if the Lab were to  
 24 convert to civilian uses, there would be as much  
 25 opportunity, economic opportunity for civilian purposes

86/07.01

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1 as for military purposes. To poison the community for 86/07.01  
 2 money is absolutely morally abhorrent and you know cont.  
 3 that. The scientists and engineers currently employed  
 4 at the Lab could be employed for decades just trying to  
 5 figure out how to clean it up. And the jobs in the  
 6 surrounding communities could also be -- continue in  
 7 the process of cleaning up the mess. And, you know,  
 8 that's basically what I have to say.  
 9 MR. BROWN: That concludes the list of folks,  
 10 who signed up to speak ahead of time. Let me ask if  
 11 there is anybody in the audience who hasn't spoken yet  
 12 who would like to take this opportunity add any  
 13 comments. Okay. Is there anybody who did speak who  
 14 felt hurried by the five-minute limit and would like to  
 15 amplify their remarks? We have a volunteer. Please  
 16 step forward.  
 17 And again, if you can identify yourself and if  
 18 you have an organizational affiliation, that is fine to  
 19 add that.  
 20 SPEAKER: I have no organization affiliation,  
 21 but I will tell you where I'm coming from: I am a  
 22 retiree from working on bombs for close to 50 years now  
 23 and they are pretty wicked and you have only seen the  
 24 tip of the iceberg when you worry about the cancer.  
 25 Now I'm not suggesting that you not worry 87/23.02

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1 about cancer, because it is very serious; but, if you  
 2 had your blood tested, looking for disetrics, you would  
 3 find that the threat of cancer is only the tip of the  
 4 iceberg of the genetic damage done by tritium and  
 5 plutonium. Most of the serious threat at this facility  
 6 is tritium which they downplay and act as if it is like  
 7 dirty water, at most.  
 8 Any additional exposure to man-made radiation  
 9 is an additional threat which has to be added to the  
 10 natural one. And this business of referencing how good  
 11 I am compared to background radiation is like telling  
 12 you whether the glass is half full or half empty. Any  
 13 addition of radiation is dangerous -- any. There is no  
 14 safe dose. One alpha particle can add to -- since you  
 15 seem to worry about cancer -- one of the many DNA  
 16 faults which make up a multifactorial requirement to  
 17 cause cancer. There are many diseases that are genetic  
 18 diseases that are caused by one single event known as  
 19 single point damages. The list of these single point  
 20 damages can fill an even encyclopedia about this wide  
 21 right now (indicating). They are so -- they occur so  
 22 infrequent and they have an obscure name and you don't  
 23 realize how important they are. Right now there is  
 24 enough tritium released at this laboratory if the  
 25 California Prop 65 people had enough gumption to put

87/23.02  
cont.88/16.01,  
34.01

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1 tritium on their list, it would be required that all  
 2 the current wines produced in the Tri Valley area have  
 3 a lethal dose danger label on it. This has been known  
 4 since the 70's. It was work done by Abbott, Mix at the  
 5 University of Oregon and if you take their numbers and  
 6 work it through with the definition of Prop 65 of  
 7 interfering with proper development or growth of  
 8 children, you take and divide it by ten based on the  
 9 animal that you found that you don't -- you don't  
 10 experiment on people anymore -- you divided the number  
 11 by ten and the basis of individual variations within  
 12 that species. Then you add an additional species  
 13 variation because I tested on a rat instead of people.  
 14 You can't test on people anymore. That is where the  
 15 100 comes from. When you divide the lowest limit that  
 16 you detect doing damage to the experimental animal,  
 17 that is where you have to divide that number by ten and  
 18 if it is above that you should post it.

19 I don't see any representative from the wine  
 20 industry in this valley here today.

21 MR. BROWN: You are at the four minute mark if  
 22 you can conclude in a minute or so.

23 SPEAKER: Okay. Let's see one more. An  
 24 interesting irony of this whole thing is that this  
 25 laboratory is what pulled the rug on Rocky Flats, the

88/16.01,  
 34.01  
 cont.

89/37.01,  
 24.01

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1 producer of pits before they closed down. Now they  
 2 have to make that thing a glow in the dark a wild life  
 3 refuge. How did that happen? It turns out that people  
 4 objected to plutonium in the Boulder area for many,  
 5 many years knowing that it would get out but they had  
 6 clever con men and trained attack dogs to cover them  
 7 up. It turns out that someone found tritium leaking  
 8 out of the fence at Rocky Flats and all of them stood  
 9 on a stack of Bibles this tall and -- can't be, we  
 10 don't handle tritium here. What has happened is that  
 11 this Livermore Lab has sent them contaminated plutonium  
 12 without telling them it was loaded with tritium and  
 13 that's what got the attention of the State and of a  
 14 number of other people. Then since they then got the  
 15 attention of so many people, they got shut down. Now  
 16 they are spending millions of dollars for cleanup; but  
 17 it is interesting -- now -- so it is sort of ironic,  
 18 but now the plutonium pit business has come back to  
 19 Livermore, which already has the tritium, which was  
 20 really the step that essentially pulled the rug in  
 21 Rocky Flats in Colorado.

22 MR. BROWN: Okay. Well, thank you.

23 SPEAKER: Anyway, there is no safe dose, even  
 24 a single radioactive event biologically, if it is a  
 25 rock, fine; but, it even damages the metal and the

89/37.01,  
 24.01  
 cont

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1 material structures in power plants. This is one of  
 2 their nightmares, is the radiation damage of the  
 3 structural steel and ceramics in power plants.  
 4 MR. BROWN: Thanks very much.  
 5 MR. BROWN: Thank you all for coming. That  
 6 concludes the public comment period. There is another  
 7 meeting this evening. If there are other members of  
 8 the community you know would like to comment, the  
 9 meeting begins here at 6:30, the same format. Thanks  
 10 again for coming and we are adjourned.

11 (Whereupon, the hearing was concluded.)  
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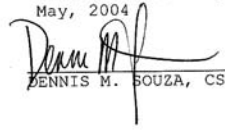
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1 STATE OF CALIFORNIA )  
 2 ) ss.  
 3 COUNTY OF ALAMEDA )  
 4  
 5

6 I hereby certify that the public hearing  
 7 was taken at the time and place therein named; that the  
 8 comments of the said speakers was reported by me, a  
 9 duly Certified Shorthand Reporter and disinterested  
 10 person, and was thereafter transcribed into typewriting  
 11 under my direction.  
 12  
 13

14 WITNESS WHEREOF, I have  
 15 hereunto subscribed my  
 16 hand this 14th day of  
 17 May, 2004

18   
 19 DENNIS M. SOUZA, CSR No. 3893  
 20  
 21  
 22  
 23  
 24  
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